

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

DECIDED ON: 9th May, 2022

(1) CRM-M-39914-2019

Surinder Kumar Verma

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-53208-2019

Monika Tandon

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rishi Pal Rana, Advocate with
Mr. Dinesh Babu Khurana, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

Mr. V.K. Jindal, Senior Advocate with
Mr. Samar Ahluwalia, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

These two petitions were filed seeking anticipatory bail in case of FIR No. 53 dated 9.3.2019, under Sections 406, 420 IPC, registered at Police Station Mahesh Nagar, District Ambala.

The dispute was with regard to agreement to sell entered into for nine acres land. It was found that the accused entering into the agreement to sell on that date was not the owner of nine acre of land, the payment of Rs.1,30,00,000/- was made. Petitioner-Surinder Kumar Verma was the attesting witnesses to the agreement to sell. Petitioner-Monika Tandon was the executant of the agreement.

Notice of motion was issued.

Vide orders dated 10.12.2019 and 17.12.2019 respectively, the

arrest of the petitioners were stayed.

Reply filed by the State is taken on record.

As per the reply, petitioners were made to join investigation. The custody is asked for on the ground that amount in dispute is to be recovered.

The petitioners have joined investigation and after formal arrest were granted bail by the police.

As per the reply filed by the State, no document is to be recovered. The stand taken by the State for seeking custody for recovery of the disputed amount cannot be accepted. The custodial interrogation cannot be sought for recovery of the amount which in itself is disputed.

The petitioners are granted pre-arrest bail, however, they shall continue to join investigation as and when called for. The petitioners will furnish surety bond to the satisfaction of the Arresting/Investigating Officer, if not already furnished.

Learned counsel for the parties submit that one opportunity be granted to the parties to amicably settle the matter.

Though, the present petitions are disposed of by allowing the prayer for anticipatory bail. However, the parties to appear before the Mediation and Conciliation Center of this Court on 17.5.2022 for making an attempt to settle the issue.

Photocopy of this order be placed on the file of connected case.

9th May, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>